

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

v.

GONGDA XUE,

Defendant.

CRIMINAL ACTION
NO. 18-122

ORDER

AND NOW, this 8th day of May 2020, upon consideration of Defendant's Emergency Motion for [Temporary] Release from Custody (Doc. No. 28); the Government's Response in Opposition (Doc. No. 30); Defendant's Supplemental Response in Support of his Emergency Motion for [Temporary] Release from Custody (Doc. No. 34); United States Magistrate Judge David Strawbridge's Order and Opinion, granting Defendant's Emergency Motion, with conditions (Doc. Nos. 42-44); the Government's Appeal of Judge Strawbridge's decision (Doc. No. 45); Defendant's Response to the Government's Appeal (Doc. No. 47); the Government's Reply to Defendant's Response to the Government's Appeal (Doc. No. 51); the arguments made by counsel for the parties at the hearing held on April 27, 2020 (Doc. No. 54); the Sealed Letter containing Defendant's medical records from the Philadelphia Federal Detention Center (Doc. No. 57); Defendant's Supplemental Memorandum (Doc. No. 62); and in accordance with the Opinion of the Court issued this day, it is hereby **ORDERED** as follows:

1. The Government's Appeal of United States Magistrate Judge David Strawbridge's Order granting Defendant's Emergency Motion for [Temporary] Release from Custody is **SUSTAINED**. Judge Strawbridge's Order granting Defendant's Emergency Motion (Doc. No. 43) and the Order Setting Defendant's Conditions of Release (Doc. No. 44) are

REVOKED and Defendant's Emergency Motion for [Temporary] Release from Custody (Doc. No. 28) is **DENIED**.

2. Defendant's Motion to Revoke [the] Detention Order and [a] Request for Expedited Hearing (Doc. No. 29) is **DENIED AS MOOT**.
3. Defendant's Motion for a Writ of Habeas Corpus, Temporary Restraining Order, and Preliminary Injunction (Doc. No. 41) is **DENIED AS MOOT**.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.